

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F039654 Bright et al. v. CLS Investments

No brief having been filed by appellant after notice duly given under rule 17(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F039547 DMP Development Corporation v. City of Fresno

The judgment is affirmed. Respondent shall recover its appellate costs. Dibiaso, Acting P.J.

We concur: Harris, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039349 People v. Hernandez

The judgment is affirmed. Dibiaso, Acting P.J.

We concur: Wiseman, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F037900 People v. King, et al.

The judgment is affirmed with modifications.

Vartabedian, Acting P.J.

We concur: Buckley, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041012 Association of Irrigated Residents et al. v. County of Madera et al.; Diamond H. Dairy et al.

The judgment is affirmed. Buckley, J.

We concur: Vartabedian, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038214 People v. Benicki

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

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Fifth Appellate District

F040524 In re Christopher F., a Minor

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F041984 Betty W. v. Superior Court of Fresno Co.; Fresno Co. Dept. of Children & Family Services

The petition for extraordinary writ is denied. The juvenile court's orders issued on November 21, 2002, terminating reunification services for petitioner as to Steven, Shelby and James are affirmed. This petition is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040165 People v. Kuykendall

The judgment of conviction is affirmed. The judgment of sentence is reversed. The matter is remanded to the trial court for resentencing, to include a determination whether appellant suffered the alleged prior serious felony conviction. Dibiaso, Acting P.J.

We concur: Harris, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041554 In re Alexis M., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

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F041554 In re Alexis M., a Minor

The orders of removal and denial of reunification services are affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041617 In re Phillip G., a Minor

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F041617 In re Phillip G., a Minor

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040317 People v. Novoa

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F040317 People v. Novoa

The judgment is reversed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]